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FIRST CIRCUIT COURT
STATE OF HAWAII
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H. CHING
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

IN THE MATTER OF THE)	S. P. NO. <u>06-1-0272</u>
APPLICATION OF THE STATE OF)	(Cr. Nos. 03-1-1773 and 05-1-0682)
HAWAII FOR A WRIT OF HABEAS)	
CORPUS AD PROSEQUENDUM RE)	APPLICATION FOR WRIT OF HABEAS
RICHARD FIAPOTO,)	CORPUS AD PROSEQUENDUM; ORDER
also known as Junior Sake Fiapoto,)	DIRECTING ISSUANCE OF WRIT OF
)	HABEAS CORPUS AD
Defendant.)	PROSEQUENDUM; WRIT OF HABEAS
)	CORPUS AD PROSEQUENDUM
)	

APPLICATION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

TO THE HONORABLE RICHARD W. POLLACK, JUDGE OF THE ABOVE ENTITLED COURT:

Comes now the STATE OF HAWAII, by and through Charlene K. Ikeda, Deputy Prosecuting Attorney of the City and County of Honolulu, State of Hawaii, and respectfully alleges as follows:

EXHIBIT "B"

1. That RICHARD FIAPOTO, also known as Junior Sake Fiapoto, has two cases in the Circuit Court of the First Circuit, Honolulu, Hawaii, Criminal Nos. 03-1-1773 and 05-1-0682;

2. That sentencing in Criminal Nos. 03-1-1773 and 05-1-0682 is scheduled for August 28, 2006; 11:00 a.m., before the Honorable RICHARD W. POLLACK, Judge of the Circuit Court of the First Circuit, State of Hawaii;

3. That said Defendant is now imprisoned as a federal prisoner under the custody of the UNITED STATES MARSHAL, District of Hawaii, and is being detained at the Federal Detention Center, Honolulu, Hawaii, and

4. That in order to procure Defendant's presence in the Circuit Court of the First Circuit, it is necessary that a Writ of Habeas Corpus ad Prosequendum be issued, pursuant to Chapter 660, Hawaii Revised Statutes.

WHEREFORE, Applicant prays that the Clerk of this Court be directed to issue a Writ of Habeas Corpus ad Prosequendum commanding the:

UNITED STATES MARSHAL, District of Hawaii, or his/her deputy to make available the body of RICHARD FIAPOTO, also known as Junior Sake Fiapoto, to State of Hawaii Officials on August 28, 2006; and

STATE OF HAWAII OFFICIALS, upon taking custody of said Defendant, to:

1. retain custody of the Defendant and he/she shall be confined with the Department of Public Safety, State of Hawaii, during the pendency of these proceedings;

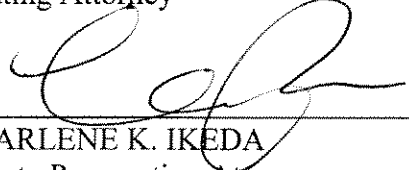
2. bring the said Defendant before the Honorable RICHARD W. POLLACK, Judge of the Circuit Court of the First Circuit, on August 28, 2006; 11:00 a.m.; and thereafter

3. return the said Defendant to the custody of the UNITED STATES MARSHAL,
District of Hawaii, on a mutually agreed upon date.

Dated at Honolulu, Hawaii: August 8, 2006.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

By 
CHARLENE K. IKEDA
Deputy Prosecuting Attorney
City and County of Honolulu

ORDER DIRECTING ISSUANCE OF
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that the Clerk of
this Court be and hereby is instructed to issue the Writ of Habeas Corpus ad Prosequendum prayed
for in the foregoing Application.

Dated at Honolulu, Hawaii: AUG 15 2006


RICHARD W. POLLACK

RICHARD W. POLLACK
Judge of the above entitled court